

Simeon M. Herskovits, Nevada Bar No. 11155  
Advocates for Community and Environment  
P.O. Box 1075  
El Prado, New Mexico 87529  
Phone: (575) 758-7202  
Fax: (575) 758-7203  
Email: simeon@communityandenvironment.net

Sean A. Rowe, Nevada Bar No. 10977  
Mineral County District Attorney  
P.O. Box 1210  
Hawthorne, Nevada 89415  
Phone: (775) 945-3636  
Fax: (775) 945-0740  
Email: srowe@mineralcountynv.org

*Attorneys for Mineral County*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )

WALKER RIVER PAIUTE TRIBE, )  
)  
Plaintiff-Intervenor, )

vs. )

WALKER RIVER IRRIGATION DISTRICT, )  
)  
a corporation, et al., )  
)  
Defendants. )

MINERAL COUNTY, )  
)  
Proposed-Plaintiff-Intervenor, )

vs. )

WALKER RIVER IRRIGATION DISTRICT, )  
)  
a corporation, et al., )  
)  
Proposed Defendants. )

IN EQUITY NO. C-125-RCJ-WGC  
Subproceeding: C-125-C

3:73-CV-00128-RCJ-WGC

**MINERAL COUNTY  
SUPPLEMENT TO JANUARY 9,  
2013, REPORT CONCERNING  
STATUS OF RULE 4 SERVICE  
ON FINAL LIST OF PROPOSED  
DEFENDANTS**

Mineral County hereby submits the following supplemental information related to service efforts on the final list of 107 Proposed Defendants to be served via Fed. R. Civ. P. Rule 4 service, which the Court approved in its August 2, 2012, *Order Relating to Completion of Service*. Doc. No. 605.<sup>1</sup> This information supplements Mineral County's *Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants* filed on January 9, 2013 (Doc. No. 654), and contains information related to service efforts on Coale Robert Johnson and Marjorie Ann Jones, which Mineral County has received since filing the January 9, 2013 Status of Service Report.

Below, Mineral County requests that the Court approve the completion of service efforts as to Coale Robert Johnson, and dismiss Marjorie Ann Jones from this case. The Report is supported by "Exhibit A-51 Supplement" and "Exhibit A-53 Supplement," which correspond to Mr. Johnson's and Ms. Jones' numerical listing and exhibit numbering in Mineral County's Status of Service Report filed on January 9, 2013.

**51. Johnson, Coale Robert**

- Status of Service: Coale Robert Johnson returned a waiver of personal service form. *See* Exhibit A-51.
- Counsel:  
 Paul J. Tauber  
 Coblenz, Patch, Duffy & Bass LLP  
 One Ferry Building, Suite 200  
 San Francisco, CA 94111-4213
- Address for Service: P.O. Box 753, Lone Pine, CA 93545.
- Requested Action: Mineral County requests a finding that Rule 4 service is complete as to Coale Robert Johnson.

<sup>1</sup> Unless otherwise noted, all document references are to C-125-C (3:73-3-00128-RCJ-WGC) docket numbers.

**53. Jones, Marjorie Ann**

- Status of Service: Mineral County personally served Marjorie Ann Jones on January 14, 2013. *See* Exhibit A-53. Subsequent to that personal service, Ms. Jones filed a disclaimer of interest disclaiming all of her property to her ex-husband, William David Manha, who already is in the caption and has been served. *See* Doc. No. 658 (Jan. 25, 2013); *see also* Proof of Service, Doc. No. 653 (Jan. 9, 2013); Mineral County Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants Doc. No. 654 (Jan. 9, 2013).
- Counsel: None indicated.
- Address for Service: 1666 S. Delaware Dr., Mount Bethel, PA 18343.
- Requested Action: Mineral County requests that the Court dismiss Marjorie Ann Jones from this case.

**Rule 5 Service of this Filing:**

Mineral County has served this filing consistent with previous direction of the Court regarding Rule 5 service of procedural and service related filings. *See* Doc. No. 591.

Accordingly, the primary parties will be served either via electronic service or in hard copy if they are not registered for electronic service. Mineral County has served this filing on those Proposed Defendants who are addressed in this service report in the same manner as previous service reports filed by Mineral County in subproceeding C-125-C and by the United States in subproceeding C-125-B. Persons or entities addressed in this filing who are not registered for E-service will receive a hard copy of the Report and the exhibits that concern their service status.

In addition, the County will provide any of them with copies of any additional exhibits they request.

**CONCLUSION**

In accord with the information provided in this Supplement and in Mineral County's *Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants*, Mineral County respectfully requests that the Court take the following actions:

**Mineral County Supplement to January 9, 2013, Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants**

Page 3 of 4

(1) find that Rule 4 service is complete as to Coale Robert Johnson as requested above;

(2) dismiss Marjorie Ann Jones as requested above; and

(3) approve the requests made in Mineral County's January 9, 2013, *Report Concerning Status of Rule 4 Service on Final List of Proposed Defendants*.

A proposed *Order Concerning Status of Remaining Proposed Defendants to Be Served Via Rule 4 Service* will be circulated at the February 7, 2013, status conference.

Respectfully submitted this 7th day of February, 2013,

/s/ Simeon M. Herskovits

Simeon M. Herskovits, Nevada Bar No. 11155  
Advocates for Community and Environment  
P.O. Box 1075  
El Prado, New Mexico 87529  
Phone: (575) 758-7202  
Fax: (575) 758-7203  
Email: simeon@communityandenvironment.net

/s/ Sean A. Rowe

Sean A. Rowe, Nevada Bar No. 10977  
Mineral County District Attorney  
P.O. Box 1210  
Hawthorne, Nevada 89415  
Phone: (775) 945-3636  
Fax: (775) 945-0740  
Email: srowe@mineralcountynv.org

*Attorneys for Mineral County*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of February, 2013, I electronically filed the foregoing **MINERAL COUNTY SUPPLEMENT TO JANUARY 9, 2013, REPORT CONCERNING STATUS OF RULE 4 SERVICE ON FINAL LIST OF PROPOSED DEFENDANTS** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses that are registered for this case; and I further certify that on this 7th day of February, 2013, I caused a hard copy of the forgoing to be served on the following non CM/ECF primary Defendant participants by U.S. Mail, postage prepaid:

Athena Brown, Superintendent  
Western Nevada Agency  
Bureau of Indian Affairs  
311 E. Washington Street  
Carson City, NV 89701-4065

Arthur B. Walsh  
Los Angeles City Attorney's Office  
P.O. Box 51-111  
111 North Hope Street, Suite 340  
Los Angeles, CA 90054

Dist. Attorney for Lyon County  
31 South Main Street  
Yerington, NV 89447

State Engineer - Division of Water  
Resources  
State of Nevada  
901 S. Stewart St., Suite 202  
Carson City, NV 89701

Leo Drozdoff  
Dept. of Conservation & Natural Res.  
State of Nevada  
901 S. Stewart St.  
Suite 1003  
Carson City, NV 89701

I further certify that I served a copy of the foregoing **MINERAL COUNTY SUPPLEMENT TO JANUARY 9, 2013, REPORT CONCERNING STATUS OF RULE 4 SERVICE ON FINAL LIST OF PROPOSED DEFENDANTS**, including a copy of the portion of Exhibit A that relates to their service issues, on the following non-CM/ECF

participants addressed in this Report, by U.S Mail, postage prepaid, this 7th day of February,  
2013:

Marjorie Ann Jones  
1666 S. Delaware Dr.  
Mount Bethel, PA 18343

Coale Robert Johnson  
P.O. Box 753  
Lone Pine, CA 93545

/s/ Iris Thornton  
Iris Thornton